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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Peter R.C. Gascoyne, et al



Serial No.: 09/882,805

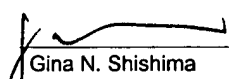
Filed: June 14, 2001

For: METHOD AND APPARATUS FOR
COMBINED MAGNETOPHORETIC AND
DIELECTROPHORETIC
MANIPULATION OF ANALYTE
MIXTURES

Group Art Unit: 1743

Examiner: Unknown

Atty. Dkt. No.: UTXC:625US/MCB

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| CERTIFICATE OF MAILING 37 C.F.R. 1.8 | |
| I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Box Missing Parts, Commissioner for Patents, Washington, DC 20231, on the date below: | |
| September 28, 2001 |  |
| Date | Gina N. Shishima |

RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION FILED UNDER 37 C.F.R. 1.53(b)

BOX MISSING PARTS
Commissioner for Patents
Washington, D.C. 20231

Sir:


In response to the Notice to File Missing Parts of Nonprovisional Application Under 37 C.F.R. § 1.53(b), dated August 13, 2001, there are enclosed herewith:

- (a) Declaration executed on behalf of Peter R.C. Gascoyne, Jody V. Vykoukal, and Frederick F. Becker;
- (b) A Power of Attorney on behalf of Board of Regents, The University of Texas System;

- (c) Our check in the amount of \$580.00 to cover the basic filing fee (\$355 - utility small entity); surcharge for late filing (\$65.00); additional claims fee (\$160.00); and
- (d) A copy of Notice to File Missing Parts of Nonprovisional Application Filed Under 37 C.F.R. 1.53(b)-Filing Date Granted.

Please date stamp and return the accompanying postcard to evidence receipt of these documents.

Respectfully submitted,

Fot  *Reg. No. 44,523*
Michael C. Barrett
Reg. No. 44,523
Attorney for Applicants

FULBRIGHT & JAWORSKI L.L.P.
600 Congress Avenue, Suite 2400
Austin, Texas 78701
(512) 474-5201

Date: September 28, 2001

5/11

✓ Sector # 3

FULBRIGHT & JAWORSKI L.L.P.

A REGISTERED LIMITED LIABILITY PARTNERSHIP

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AUSTIN, TEXAS 78701

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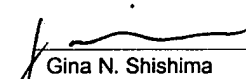
WRITER'S INTERNET ADDRESS:
MBARRETT@FULBRIGHT.COM



WRITER'S DIRECT DIAL NUMBER:
512/536-3018

September 28, 2001

FILE: UTXC:625US

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| Date | Gina N. Shishima |

BOX MISSING PARTS
Commissioner for Patents
Washington, DC 20231

RE: *SN 09/882,805 "METHOD AND APPARATUS FOR COMBINED MAGNETOPHORETIC AND DIELECTROPHORETIC MANIPULATION OF ANALYTE MIXTURES" – Peter R.C. Gascoyne, et al.*

Sir:

Please find enclosed:

- (1) A Response to Notice to File Missing Parts of Nonprovisional Application filed under 37 C.F.R. 1.53(b) mailed August 13, 2001;
- (2) Declaration of Peter R.C. Gascoyne, Jody V. Vykoukal, and Frederick F. Becker;
- (3) Power of Attorney;
- (4) Copy of Notice to File Missing Parts of Nonprovisional Application filed under 37 C.F.R. 1.53(b)-Filing Date Granted;
- (5) Check in the amount of \$580.00; and
- (6) A return postcard to acknowledge receipt of these materials. Please date stamp and mail this postcard.

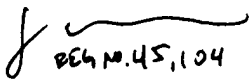
Commissioner for Patents

September 28, 2001

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If the check is inadvertently omitted, or the amount is insufficient, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, or should an overpayment be included herein, the Commissioner is authorized to deduct or credit said fees from or to Fulbright & Jaworski Deposit Account No.: 50-1212/10023303/MCB.

Respectfully submitted,


REG. NO. 44,523

for
Michael C. Barrett
Reg. No. 44,523

MCB/cmb

Encl: as noted

sector/ #
B

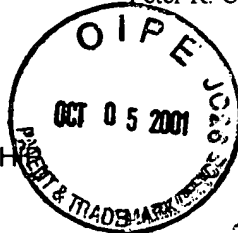


UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/882,805 | 06/14/2001 | Peter R. C. Gascoyne | UTXC:625US |

FULBRIGHT & JAWORSKI L.L.P.
A REGISTERED LIMITED LIABILITY PARTNERSHIP
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600 CONGRESS AVENUE
AUSTIN, TX 78701



CONFIRMATION NO. 7954
FORMALITIES LETTER



OC00000006414406

Date Mailed: 08/13/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 355 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$160.
 - \$160 for 4 independent claims over 3 .
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 580.

10/10/2001 WABRHAM1 00000020 501212 09882805

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|-----------|----------|--------|----|
| 01 FC:201 | | 370.00 | OP |
| 02 FC:202 | | 168.00 | OP |
| 03 FC:205 | 23.00 CH | 42.00 | OP |

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| 10/16/2001 WABRHAM1 00000001 501212 09882805 | | |
| 01 FC:201 | 370.00 | OP |
| 02 FC:205 | 65.00 | OP |
| 03 FC:202 | 23.00 | CH |
| | 145.00 | OP |

Adjustment date: 10/16/2001 WABRHAM1

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| 10/16/2001 WABRHAM1 00000020 501212 09882805 | | |
| 01 FC:201 | -370.00 | OP |
| 02 FC:202 | -168.00 | OP |
| 03 FC:205 | 23.00 | CH |
| | 42.00 | OP |

A copy of this notice **MUST** be returned with the reply.

10/13/01 missing parts due; 3/13/02 final deadline
MR

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

AUG 16 2001

UTXC:625US
OIP/MEB
fm